



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

The Honorable Barbara A. Mikulski
United States Senator
1629 Thames Street, Suite 400
Baltimore, Maryland 21231

APR 20 2010

Dear Senator Mikulski:

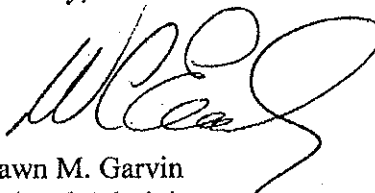
Thank you for your letter of March 4, 2010 to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, Mr. _____, regarding the potential stormwater runoff into the Chesapeake Bay from the development of property located at _____.

In a letter dated February 25, 2010 (copy enclosed) from Mr. Jon Capacasa, EPA Region III's Director of the Water Protection Division, Mr. _____ was advised that no record of a National Pollutant Discharge Elimination System (NPDES) permit for discharges of stormwater associated with construction activity has been received, and that no activity is currently known to be taking place. Mr. _____ should contact Mr. Jessie Salter at the Maryland Department of the Environment for any additional information. Mr. Salter can be reached at 410-537-3570.

At this time, it is EPA's understanding that no final approvals for this project have been given. We will continue to monitor this issue to ensure that any potential development at this site meets all stormwater requirements as required by a NPDES permit. If your constituent would like additional information, he should contact Mr. John Peacock of Anne Arundel County's Department of Inspections and Permits at 410-222-7763.

If you have any questions, please do not hesitate to contact me or have your staff contact Mrs. Linda Miller, EPA's Maryland Liaison, at 215-814-2068.

Sincerely,


Shawn M. Garvin
Regional Administrator

Enclosure





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 25 2010

Dear Mr. .

Thank you for your letter dated January 22, 2010 regarding a property located at _____ in _____ and directly adjacent to the Chesapeake Bay. The property, based upon Anne Arundel County tax parcel records, is listed as 2.36 acres. Your concerns regarding stormwater and the health of the Chesapeake Bay are appreciated.

Based upon conversations between Mr. Andrew Dinsmore, of my staff, and a representative from the Maryland Department of the Environment (MDE), no record of a National Pollutant Discharge Elimination System (NPDES) permit for discharges of stormwater associated with construction activity has been received. However, it is possible that the project has not progressed to that stage yet. Additionally, if the project would encompass less than one (1) acre of land disturbance, an NPDES permit would not be required. Information has been requested from Anne Arundel County's Department of Inspections and Permits (I&P), but no direct contact was able to be made at the time of this letter to you. Mr. Dinsmore will follow-up with I&P staff to ensure that a permit is obtained if the project encompasses greater than one acre of land disturbance and that all applicable state and federal NPDES regulations are met.

If you have any questions, please do not hesitate to contact me or have your staff contact Mr. Andrew Dinsmore at 215-814-2788 or by e-mail at dinsmore.andrew@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon M. Capacasa", is written over a horizontal line.

Jon M. Capacasa
Director, Water Protection Division

BARBARA A. MIKULSKI
MARYLAND

COMMITTEES:

APPROPRIATIONS

HEALTH, EDUCATION, LABOR,
AND PENSIONS

United States Senate

WASHINGTON, DC 20510-2003

March 4, 2010

The Honorable Lisa Jackson
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Ave., NW
Washington, D.C. 20460-0001

Dear Ms. Jackson:

I am forwarding a letter from one of my constituents, Mr.
President of the Citizens Association, who is concerned about
stormwater runoff into the Chesapeake Bay from a planned sub-division along
in

I would appreciate your comments on this matter. Please send your response
directly to my Deputy State Director, Ms. Valerie Twanmoh in my Baltimore office, at the
above address.


Thank you very much for your consideration. I look forward to hearing from you.

Sincerely,



Barbara A. Mikulski
United States Senator

BAM:wbk
Enclosure(s)

 IN REPLY PLEASE REFER TO
OFFICE INDICATED:
☒ 1829 THAMES STREET, SUITE 400
BALTIMORE, MD 21231
(410) 962-4510
VOICE/TDD: (410) 962-4512
☐ 60 WEST STREET, SUITE 202
ANNAPOLIS, MD 21401-2448
(410) 263-1805
BALTIMORE: (410) 269-1650
☐ 6404 IVY LANE, SUITE 408
GREENBELT, MD 20770-1407
(301) 345-5517
☐ 32 WEST WASHINGTON, ROOM 203
HAGERSTOWN, MD 27140
(301) 797-2828
☐ SUITE 1E, BUILDING B
1201 PEMBERTON DRIVE
SALISBURY, MD 21801-2403
(410) 548-7711



CITIZENS ASSOCIATION RECEIVED
FEB 22 2010

10 FEB 22 PM 3:16

January 22, 2010

Ms. Lisa P. Jackson, Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Subject: Anne Arundel County

Property,
Property Tax ID#

Dear Ms. Jackson:

I am writing directly to you, because I have not received a response to my October 2009 letter to the Environmental Protection Agency's Chesapeake Bay Program (attached). The Citizens Association is concerned by the proposed means and methods to be used to convey stormwater runoff into the Chesapeake Bay for the above referenced property, which is under subdivision review by the Anne Arundel County Office of Planning and Zoning. I am writing to you after contacting the Maryland Department of the Environment and the Anne Arundel County Office of Planning and Zoning to address my Community's concerns about this proposed subdivision.

Recently, the Anne Arundel County Department of Public Works completed Phase I of a two-phase stormwater drainage project in Mr. Ken Weeks is the County Project Manager for this project. Phase II of the project is in design as I write this letter. The Citizens Association has recently been advised that Anne Arundel County does not have any plans to improve the existing 1950/60's-era drainage swales and ditches in the vicinity of near as part of its planned drainage improvements for

In subdivision pre-submission meetings and other presentations on the proposed subdivision for the above referenced property, the Community has been advised that stormwater drainage from this proposed subdivision will be conveyed into existing 1950/60's-era drainage swales and ditches along swales and ditches in the vicinity of this proposed subdivision fall during rain events flooding and private yards adjacent to these roadways. You can observe this situation with inspection or confirm the situation with Mr. Ken Weeks of the Anne Arundel County Department of Public Works.

The Community has three related on-going concerns about the proposed subdivision: 1) Creating additional impervious areas on the above referenced property will only aggravate an already existing severe stormwater drainage problem. Representations made thus far to the

Community are that stormwater drainage from the proposed subdivision will be conveyed into drainage swales and ditches along Presently, there is inadequate stormwater infrastructure along to handle additional stormwater.

2) As a new subdivision within the Critical Area of the Chesapeake Bay, it is our understanding that this proposed subdivision at the property must be required to treat all stormwater on-site for both quantity and quality. Further, it is the Community's understanding that there should be zero additional stormwater conveyed into the existing failing drainage swales and ditches along

3) The Citizens Association was recently advised by the Anne Arundel County that the proposed subdivision would be creating a new stormwater outfall into the Chesapeake Bay adjacent/near our Community Beach.

The Citizen's Association understands that your agency has overall responsibility for programs to clean-up the Chesapeake Bay. Please confirm for us that this proposed subdivision will be required to treat all stormwater on-site for both quantity and quality before this stormwater is conveyed into the Chesapeake Bay. Please also confirm for us that no additional stormwater from this proposed subdivision will be conveyed into our already failing drainage swales and ditches. Please advise us if application has been made to the EPA to create a new stormwater outfall into the Chesapeake Bay at and the for this proposed subdivision at and provide information on that permit application and status of that application. We encourage the EPA to take an active interest into this proposed subdivision. The Citizens Association also wants to go on record as opposing the construction of a new stormwater outfall into the Chesapeake Bay adjacent/near our Community beach. Unfettered and unregulated development within the Critical Area of the Chesapeake Bay will not result in a clearer Bay in the future.

Thank you in advance for your assistance in this matter.

~~For the~~ Board of Directors,

Sincerely,

President

CC: The Honorable Barbara A. Mikulski
The Honorable Benjamin L. Cardin
The Honorable Steny Hoyer
Mr. Jeff Lape, Director, EPA Chesapeake Bay Program
Mr. Larry R. Tom, Planning and Zoning Officer
Ms. Kelly Krinetz, Office of Planning and Zoning



CITIZENS ASSOCIATION

October 19, 2009

Mr. Jeff Lape, Director
Chesapeake Bay Program
U.S. Environmental Protection Agency
410 Severn Avenue, Suite 109
Annapolis, MD 21403

Subject: Anne Arundel County

Property,
Property Tax ID#

Dear Mr. Lape:

I am writing to you concerning the above referenced property, which is under subdivision review by the Anne Arundel County Office of Planning and Zoning. I am writing to you after contacting the Maryland Department of the Environment and unsuccessfully trying to get the Anne Arundel County Office of Planning and Zoning to address our concerns about this proposed subdivision.

Recently, the Anne Arundel County Department of Public Works completed Phase I of a two-phase stormwater drainage project in . Mr. Ken Weeks is the County Project Manager for this project. Phase II of the project is in design as I write this letter. The Citizens Association has recently been advised that Anne Arundel County **does not** have any plans to improve the existing 1950/60's-era drainage swales and ditches in the vicinity of near as part of its planned drainage improvements for

In pre-submission meetings and other presentations on the proposed subdivision for the above referenced property, the Community has been advised that stormwater drainage from this proposed subdivision will be discharged into existing 1950/60's-era drainage swales and ditches along . Currently, the drainage swales and ditches in the vicinity of this proposed subdivision fail during rain events flooding and private yards adjacent to these roadways. You can observe this situation with inspection or confirm the situation with Mr. Ken Weeks of the Anne Arundel County Department of Public Works.

The Community has three related on-going concerns about the proposed subdivision: 1) Creating additional impervious areas on the above referenced property will only aggravate an already existing severe stormwater drainage problem. Representations made thus far to the Community are that stormwater drainage from the proposed subdivision will be discharged into drainage swales and ditches along and . Presently, there is inadequate stormwater infrastructure along

to handle additional stormwater discharge. 2) As a new subdivision within the Critical Area of the Chesapeake Bay, it is our understanding that Property this proposed subdivision must be required to treat all stormwater on-site for both quantity and quality. Further, it is the Community's understanding that there should be zero additional stormwater discharged into the existing failing drainage swales and ditches along . 3) The

Citizens Association was recently advised by the Anne Arundel County Department of Public Works that the proposed subdivision would be creating a new Stormwater discharge into the Chesapeake Bay adjacent/near our Community Beach.

The Citizen's Association understands that your office has overall responsibility for programs to clean-up the Chesapeake Bay. Please confirm for us that this proposed subdivision will be required to treat all stormwater on-site for both quantity and quality before this stormwater is discharged into the Chesapeake Bay. Please also confirm for us that no additional stormwater from this proposed subdivision will be discharged into our already failing drainage swales and ditches. Please advise us if application has been made to the U.S. Environmental Protection Agency to create a new stormwater discharge into the Chesapeake Bay at for this proposed subdivision at and provide information on the permit application and status of that application. We encourage your office to take an active interest into this subdivision proposal. Unfettered and unregulated development within the Critical Area of the Chesapeake Bay will not result in a clearer Bay in the future.

Thank you in advance for your assistance in this matter.

For the Board of Directors,

Sincerely,

President

CC: The Honorable Barbara A. Mikulski
The Honorable Benjamin L. Cardin
The Honorable Steny Hoyer
Ms. Lisa P. Jackson, Administrator, EPA
Mr. Larry R. Tom, Planning and Zoning Officer
Ms. Kelly Krinetz, Office of Planning and Zoning

